

<div>11/26/15</div> <div>Michigan Department of Health & Human Services</div> <div>Division of Child Welfare Licensing</div> <div>Non DHS Contracted Child Placing Agency Employee File Review</div> <div>Blue – Rule Interpretations/// Purple - Memos</div>						Staff / Volunteer Name																					
Agency																											
Consultant				Date																							
Sample Size 1. All employees hired since last evaluation 2. <table border="1"> <tr> <td>Employed more than a year</td> <td>Sample Size</td> </tr> <tr> <td>1 to 3</td> <td>All</td> </tr> <tr> <td>4 to 30</td> <td>3</td> </tr> <tr> <td>31 to 60</td> <td>6</td> </tr> <tr> <td>Over 61</td> <td>8</td> </tr> </table>				Employed more than a year	Sample Size	1 to 3	All	4 to 30	3	31 to 60	6	Over 61	8	Rule 205 – Qualifications Chief Administrator Social Service Supervisor Social Service Worker		<div>Hire Date</div> <div>Position</div>											
Employed more than a year	Sample Size																										
1 to 3	All																										
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# of Employees < 1 Year _____ # of Employees > 1 Year _____																											
R 400.12209 Orientation and training. RI.209 (1) An agency shall ensure and document that each social service worker and each social service supervisor receives not less than 16 hours of orientation after initial appointment and before assumption of assigned duties.																											
(2) An agency shall ensure and document that each social service worker and each social service supervisor receives not less than 15 hours of training relating to his or her current position within the first year of being assigned to the position.																											
Rule 101(L) - Acceptable Social Service- Human Behavioral Science Degrees http://ope.ed.gov/accreditation/																											
(3) An agency shall ensure and document that each social service worker and each social service supervisor receives not less than 15 hours of planned training relating to his or her current position annually after the time periods specified in subrules (1) and (2) of this rule.																											
(4) The orientation and training specified in subrules (1) and (2) of this rule for each social service worker shall include all of the following topics: (a) Characteristics and needs of children and families served by the agency.																											
(b) Requirements of applicable statutes relating to the services the agency provides that are subject to these rules.																											
(c) Agency expectations for the social service worker to facilitate and supervise the care of children and to work with families that are served by the agency.																											
(d) Agency expectations for the social service worker's role and responsibility with foster parents and other persons who provide care or services to children and families served by the agency.																											
(e) Agency expectations for developing, maintaining, and reviewing initial and updated service plans for children and families served by the agency.																											
R 400.12212 Personnel records. RI.212 (1) An agency shall maintain a personnel record for each staff member.																											
(2) The personnel record shall contain all of the following information before employment may occur: (a) Name.																											
(b) Verification of education.																											
(c) Work history.																											
(d) Three references obtained from persons who are unrelated to the staff person.																											

(b) A bachelor's degree in a human behavioral science, or in another major where 25% of the course credits earned toward the degree are in human behavioral sciences, business administration, or public administration from an accredited college or university and 4 years of post-bachelor's degree experience in an agency or child caring institution, at least 2 of which are in a management capacity.

Rule 205.4 - Social Service Supervisor Qualifications

- (4) An agency shall appoint a social service supervisor who possesses the qualifications in either of the following:
- (a) A master's degree from an accredited college or university in a human behavioral science or in another major where 25% of the course credits earned toward the degree are in human behavioral sciences and 1 year of experience as a social service worker in an agency, or a child caring institution, or in an agency in a child welfare function.
- (b) A bachelor's degree from an accredited college or university in a human behavioral science, or in another major where 25% of the course credits earned toward the degree are in human behavioral sciences, and 4 years of experience as a social service worker, 2 years of which are in an agency or in a child caring institution, or in an agency in a child welfare function.

Rule 205.5 –Social Service Worker Qualifications

(5) An agency shall appoint a social service worker who possesses at least a bachelor's degree from an accredited college or university with a major in a human behavioral science, or in another major where 25% of the course credits earned toward the degree are in human behavioral sciences.

Rule 101(L) - Acceptable Social Service Degrees

- (L) "Human behavioral science" means a degree from an accredited college or university in any of the following:
- (i) Social work.
 - (ii) Psychology.
 - (iii) Counseling and guidance.
 - (iv) Child development
 - (v) Criminal justice.
 - (vi) Family and child ecology.
 - (vii) Sociology.
 - (viii) Family community services.
 - (ix) Family studies.
 - (x) Family Live Education
 - (xi) Human Services

R 400.12209 Orientation and training.

There is no requirement in the rule that an agency send staff for training through the Child Welfare Training Institute. Local DHHS offices and agencies under contract to the department, however, must attend CWTI and meet training requirements outlined in the Modified Settlement Agreement. Regardless of what training program is utilized for initial training, all topics identified in subpart 4 of the rule must be covered.

Shadowing may be a part of orientation but cannot be the only form of orientation. The total number of required hours of orientation must be completed before a social service worker or supervisor assumes sole responsibility for assigned duties.

R 400.12212 Personnel records.

- (1) There must be a personnel file for all staff members, including volunteers and contractual employees.
- (2) (b) Verification of education must be commensurate with that described in the job description, even if that is a greater requirement than the rule requirement.

(d) References may be in the form of written documentation of conversations or letters of reference. If the reference is taken from a conversation, the information is to be documented on a reference form and it must be noted how the information was received. It is recommended that references be written and dated within the 12 months preceding hire. The name of the person giving the reference and this person's relationship to the employee must be documented.

(3) When a person changes from one position to another, there is an expectation that there be a review of performance not later than 6 months after the person changes positions.

(4) Training records must be maintained. They may be maintained in a separate file from the regular personnel record.

R 400.12206 Staff qualifications.

(1) When there is a rule that deals with a specific problem or issue that has been identified by a consultant, that rule is to be cited. This rule is to be used when there is misconduct by an administrator or staff person that does not fit into another rule.

(2) *MCL 722.119 states:*

(1) A staff member shall not be present in a child care center, child caring institution, or child placing agency if he or she has been convicted of either of the following:

(a) Child abuse or child neglect.

(b) A felony involving harm or threatened harm to an individual within the 10 years immediately preceding the date of hire.

(2) A volunteer shall not have unsupervised contact with children who are in the care of a child care center, child caring institution, or child placing agency if he or she has been convicted of either of the following:

(a) Child abuse or child neglect.

(b) A felony involving harm or threatened harm to an individual within the 10 years immediately preceding the date of offering to volunteer at the child care center, child caring institution, or child placing agency.

(3) Before a staff member or unsupervised volunteer may have contact with a child who is in the care of a child care center, child caring institution, or child placing agency, the staff member or volunteer shall provide the child care center, child caring institution, or child placing agency with documentation from the family independence agency that he or she has not been named in a central registry case as the perpetrator of child abuse or neglect. For individuals who are employed by or volunteer at a child care center, child caring institution, or child placing agency, the child care center, child care center, or child placing agency shall comply with this subsection not later than the date on which that child care center's, child caring institution's, or child placing agency's license is issued or first renewed after the effective date of the amendatory act that added this section. As used in this subsection, "child abuse" and "child neglect" mean those terms as defined in section 2 of the child protection law, 1975 PA 238, MCL 722.622.

(4) Each child care center, child caring institution, or child placing agency shall establish and maintain a policy regarding supervision of volunteers who are parents of a child receiving care at the child care center, child caring institution, or child placing agency.

Child placing agencies are not required to post whether or not criminal record checks are done on staff. Criminal record checks are not required by the statute or the rule. If the agency has a policy that requires applicants or employees to provide criminal record checks or if the agency does an ICHAT clearance on applicants or employees, the consultant may cite the agency if there is no documentation of the criminal record check.

A BCAL 1326, Criminal Record Check, shall be completed on the chief administrator. For a DHHS office, this is the director of the county DHHS. In other CPA's, this is the person who is responsible for the day-to-day operation of the organization that is tied to the specific license number. This person must be located in Michigan.

If a record check has been completed and there is a conviction, or an employee has reported a criminal conviction, the agency must have a written assessment of all convictions, both felony and misdemeanor, before assigning the person to a position covered by these rules. Fraud is an intentional misrepresentation of any material fact and includes bribery, forgery, uttering and publishing and false pretenses. Convictions for domestic violence fall into the category of harm or threatened harm. The written assessment must address the nature of the conviction, when the convictions occurred, and evidence of rehabilitation.

